

### REMARKS

Claims 1-13 and 15-19 are pending. Claim 14 has been canceled without prejudice. Claim 7 has been amended to recite that the elastic means is an "elastic thrust and return means" support for which is found at least in claim 6. The claims have been amended throughout to replace the terms "main plane" and "service plane" with the more commonly understood terms of a "main table-top" and a "service table-top"; the specification at page 5 has also been updated to reflect this change as well. Figs. 1 and 3 at least clearly support the amendments to the claim language, as table 10 has a frame 11, a main table-top surface 13 and a service table-top surface 14. In the original Italian language document, the term "piano" was used to describe the table-top and translated into the word "plane". However, Applicant respectfully submits that the translated term was not entirely accurate, and from viewing the drawings a person of ordinary skill in the art easily understands that items 13 and 14 shown in Figs. 1 and 3 are referring to a main table-top 13 and a service table-top 14, and these terms can be used interchangeably with main plane and service plane.

New Claim 16 combines claims 2 and 6.

Claim 17 combines claims 2 and 12.

Claim 18 combines claims 4 and 6.

Claim 19 combines claims 4 and 12.

Applicants note a previously-reported corresponding European application 04100831.9 has now been granted a patent (EP 1 454 563 B1), and a copy is enclosed herein for the

Examiner's information (ATTACHMENT I).

I. Rejection of claims 7 and 14 under 35 U.S.C. §112, second paragraph

Claim 7 has been amended to depend from claim 6 and to recite the claimed elastic thrust and return means of claim 6 to provide antecedent basis. Claim 14 has been canceled without prejudice or disclaimer.

Accordingly, it is respectfully submitted that all grounds of rejection under 35 U.S.C. § 112, second paragraph are now overcome.

II. Rejection of claims 1-5, 7-11, 13 and 14 under 35 U.S.C. § 102(b) in view of Bruckner et al. (U.S. 6,003,450, here after "Bruckner")

It is respectfully submitted that none of the above claims are anticipated by Bruckner. Bruckner, which is disclosed in the present specification from the last line on page 1 to page 2, line 23, was an attempt in the past to provide a folding table which had several shortcomings, and does not disclose all of the elements recited by instant claim 1.

For example, Bruckner discloses a table that has a single table-top 20, which includes two table leaves (70,72), one of which (70) is foldable with respect to the other (72) and can be supported in an open position by two support members (16, 18).

On the contrary, as supported by Figs. 1, 2 and 3, claim 1 of the present invention comprises a table top having variable configurations that include a main plane 13, which provides a table top surface, that is movable from a lowered position to a raised position and vice

versa, and a service plane 14 substantially parallel to the main plane 13 and adjacent to the main plane in a raised position, and wherein the service plane is below the main plane in a lowered position.

Applicants respectfully submit the element 112 in Bruckner is not a service plane, but is a simple pad member, please see Bruckner, column 3, lines 14-16, which supports the table leaf 70 when the table leaf 70 is unfolded.

In contrast, in the present invention, the member 14 is a service table-top, and the service table-top can be used to store items such as bottles, plates, etc. (specification at page 7, lines 27-30), and thus does not have a structure that is anticipated by the pad 112 of Bruckner.

Thus, Bruckner clearly fails to disclose at least the service table-top 14 (i.e. service plane) as recited in the present claims. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

III. Rejection of claims 1, 3, 6-8, 11, 12 and 15 under 35 U.S.C. §102(b) in view of  
Crowther et al. (U.S. 4,194,452, herein after "Crowther")

It is respectfully submitted that none of the above claims are anticipated by Crowther. Crowther is alleged to disclose a convertible table (Fig. 1) having a frame 1, 2, to support a main plane 5 and an assembly, and can move the main plane or table-top from a higher position to a lower position or vice versa.

However, Crowther discloses two tabletops 5, 5" wherein parallel links 6c, 6e pivotally connect each end of a tabletop 5, 5" to a table base so that the top can swung in level attitude

both elevationally and laterally relative to the base. A tie rod (9) synchronizes the movement of links at opposite ends of the table top to maintain such links in alignment for smooth swinging of the top. When the top is swung upward and outward from a position centrally of the table base, mechanism responsive to such swinging of the top automatically projects a stabilizing foot outward beyond the side of the base toward which the top moves, and such mechanism retracts such foot into the base when the top is swung downward and inward.

In other words, the present claims patentably distinguish over the convertible table disclosed by Crowther because the two table tops (5 and 5') of the convertible table disclosed by Crowther are always one aside the other, and never one under the other, like in the present claimed invention when the main table-top (i.e. main table-top 13) is in the lowered position. Thus, Crowther fails at least to disclose or suggest at least the language in present claim 1 reciting "to normally take said service table-top below said main table-top in said lowered position", and cannot anticipate claim 1. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

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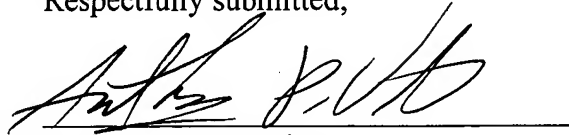
IV. Conclusion

In view of the above, it is respectfully submitted that all rejections in the Office Action are overcome. Thus, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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ATTACHMENT I:  
EP 1 454 563 B1

APV/SG

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